

Senate File 2084 - Introduced

SENATE FILE 2084

BY DICKY

A BILL FOR

1 An Act relating to repair or service estimates for certain
2 older motor vehicles, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 537B.5 Older vehicles — estimate
2 not required.

3 Notwithstanding sections 537B.3, 537B.4, and 537B.6, a
4 consumer does not have the right to a written or oral estimate
5 from a supplier prior to the commencement of repairs or service
6 on a motor vehicle twenty-five years old or older. This
7 section does not prohibit a supplier from providing an estimate
8 to a consumer prior to commencing repairs or service on such a
9 vehicle. Any such estimate provided voluntarily shall be made
10 in good faith, and, if made in good faith, shall not bind the
11 supplier to complete the repairs or service at the estimated
12 rate.

13 Sec. 2. Section 537B.6, Code 2022, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 17. If an estimate is provided pursuant to
16 section 537B.5, fail to make the estimate in good faith.

EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 Under current law, a person offering to contract for repairs
21 or service on a motor vehicle (supplier) must inform a person
22 contracting for, or intending to contract for, repairs or
23 service on a motor vehicle used primarily for farm or personal
24 use (consumer) of the consumer's right to receive a written
25 or oral estimate prior to the commencement of the repairs or
26 service. If the consumer authorizes repairs or service in
27 writing, the authorization form notifies the consumer of the
28 right. If the consumer orally authorizes repairs or service,
29 the supplier must orally inform the consumer of the right. If
30 the consumer requests an estimate, the supplier must provide
31 the estimate to the consumer prior to commencing the repairs or
32 service. For a written estimate, if the nature of repairs or
33 service is unknown at the time that the estimate is given, the
34 supplier may state an hourly labor charge for the work.

35 This bill eliminates a consumer's right to have a written

1 or oral estimate provided by the supplier prior to the
2 commencement of repairs or service on a motor vehicle 25 years
3 old or older. However, a supplier is not prohibited from
4 providing an estimate prior to commencing repairs or service on
5 such a vehicle. Any such estimate provided voluntarily must
6 be made in good faith, and, if made in good faith, does not
7 bind the supplier to complete the repairs or service at the
8 estimated rate.

9 A supplier who fails to comply with the estimate and service
10 requirements under Code chapter 537B (motor vehicle service
11 trade practices) commits a deceptive act or practice. A
12 deceptive act or practice is subject to a civil action by the
13 attorney general and a civil penalty of up to \$40,000 per
14 violation. The bill makes it a deceptive act or practice for
15 a supplier to fail to make an estimate under the bill in good
16 faith, if the supplier provides an estimate.